

From: Sitomer, Gabrielle
Sent: Wednesday, February 28, 2018 04:33 PM
To: Lundelius, Diana
CC: Chou, Robert; Tole, Raymond; Steinle, Kirk M
Subject: RE: Information Request for Certain Reports under NSPS 0000a - Texas
Attachments: BP REGION 6 FOIA CBI Assertion_2-28-2018.pdf

Ms. Lundelius,

BP America Production Company (BP) provides this response (attached) to your email dated February 27, 2018 related to the November 21, 2017 Freedom of Information Act (FOIA) request filed by Mr. Daniel Lucas, et al., FOIA 2018-001886.

As detailed in the attached response, BP asserts a claim for confidential business information (CBI) and requests pre-disclosure review of documents that EPA deems responsive to this broad FOIA request so that BP can precisely identify any CBI that may be exempt from disclosure. BP also submits an objection to the disclosure of certain private, personnel information and request such information be redacted.

Thank you,

Gabrielle

Gabrielle Anne Sitomer

Sr. Counsel - Lead Attorney HSE/Public Affairs/Real Estate

US Lower 48 Onshore

(713) 480-3116 (mobile)

(832) 664-3547 (lync / phone number) - Please note change in phone number

gabrielle.sitomer@bp.com <<mailto:gabrielle.sitomer@bp.com>>

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From: Lundelius, Diana [mailto:Lundelius.Diana@epa.gov]

Sent: Tuesday, February 27, 2018 3:56 PM

To: Lundelius, Diana

Subject: Information Request for Certain Reports under NSPS 0000a - Texas

The U.S. Environmental Protection Agency has received a request under the Freedom of Information Act (FOIA) for records containing information related to certain compliance records submitted to the EPA under the New Source Performance Standard (NSPS) for Oil and Gas (NSPS 0000a). This FOIA request may be viewed at <https://foiaonline.regulations.gov/foia/action/public/view/request?objectId=090004d28171d08c> <<https://foiaonline.regulations.gov/foia/action/public/view/request?objectId=090004d28171d08c>> . If you have difficulty pulling up the web page, you can try going to <https://foiaonline.regulations.gov/>. Click on Search FOIA Requests, then enter EPA-HQ-2018-001886 in the Search Criteria/Search For field, and click Search.

The records requested include results of performance tests, initial semiannual reports for gas plants, semiannual reports for gas plants, annual reports and annual reports of excess emissions for sweetening units. We believe you may have made a submittal under one or more of the provisions §§60.5422a(b), 60.5422a(a), 60.5420a(b), or 60.5423a(b).

By your response to this email, please indicate whether or not you wish to assert a confidential business information (CBI) claim with respect to any portion of report submitted under §§60.5422a(b), 60.5422a(a), 60.5420a(b), or 60.5423a(b) or any addendum, update or attachment to report, that your company has submitted to EPA. If you decide NOT to assert a CBI claim, please respond to this email and indicate your desire NOT to assert any CBI claims.

If you decide to assert such a claim, the EPA will temporarily treat the reports that you identify, and its updates, attachments and addenda, as confidential pending further investigation by the EPA. Please be advised that, as part of such further investigation, EPA is likely to request (in a subsequent communication) that you substantiate any CBI claim. If you do not assert a timely (see below) CBI claim with respect to any portion of a report or its addenda, updates or attachments, as described above, those records may be released to the requestor without further notice if EPA determines that the records are responsive to the FOIA request.

You have been identified by EPA as the responsible corporate official, under the FOIA regulations in 5 U.S.C. 552. Any CBI claim your company wishes to assert must be brought to the EPA's attention (by response to this email) no later than the close of business on the third working day from the date of this receipt by the responsible official (not including weekends). If you have any questions regarding this matter, please contact me by email at Lundelius.diana@epa.gov or by phone at 214-665-7468.

Diana L Lundelius, CHMM

US Environmental Protection Agency, Region 6

Fellow of the Institute of Hazardous Materials Management (IHMM)

NSPS 0000/0000a Notification & Reporting Tracking Coordinator

ED_004016_00078212-00002

Senior Enforcement Officer

Compliance Assurance & Enforcement Division

Air Enforcement Branch

Air Permitting Enforcement Section, Mail Code 6EN-AA

1445 Ross Avenue, Suite 1200

Dallas TX 75202-2733

214-665-7468

Lundelius.Diana@epa.gov <mailto:Lundelius.Diana@epa.gov>

R6WellCompletion@epa.gov